

GOVERNMENT OF MADRAS.

Old Sectt. II-28, New Sectt. II-18—
71,006—28-1-58.

P.W. (1954) Department.

~~Endorsement~~ ~~D.O.~~ ~~Memorandum~~ ✓ ~~Lodged~~ No. 19429A/54-22 Dated 17-2-1956.
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Passed
Hon
Supt
y
25/2/56

FURTHER PAPERS.

Department.	Number.	Series.	Date.

From

Nattoji Krishnayya,

Highways Contractor,

Puttur, South Kanara.

GOVERNMENT OF MADRAS

To -

The Honorable Minister,

Public Works Department,

M A D R A S.

9429 -

Sir,

9-MAR 1954

Contract - South Kanara District. Mos of Mangalore
Kereara Road Sec 40/0 to 48/0 for 51-52. Discre-
pancy in check-measurement and contractor
debarred from tendering H.W. Works- appeal of -

✓ The Divisional Engineer, Highways, South Kanara in
his No. 84/51-52 dated 11-2- 1954 has informed me that
the Chief Engineer (H) rejected my appeal filed on the
order passed by the Divisional Engineer vide C.E's Memo 53527
Dated 2/52-53 dated 15-1- 1954. As the order passed by
the C.E. is not on the merits of the case, I am again
prefering appeal against the order passed by the C.E.
for favourable consideration.

✓ In continuation of my appeal petition dated 12-9-52
(Copy enclosed) the following few further facts are
submitted herebelow for kind consideration and favourable
orders.

(a) The Chief Engineer was pleased to order for
personal enquiry thro. the S.E. but the Superintending
Engineer held the enquiry on 28-2-53 only on one side
without summoning the then Assistant Engineer Sri. R.L. Shrestha
who is the present Assistant to the Chief Engineer. If
Sri. Shrestha was examined in my presence by the S.E. there
would have been no allegation against me. Further the
file of correspondence relating to statements obtained
from the lorry crew and 2 ministries may kindly be perused
which will reveal the truth of the allegation.

(b) The collection on the road was measured by
the supervisor on 24-9- 1951 and check-measured by the

A.E. on 12-16- 1951. Spreading was commenced on 24-10-51 and completed on 13-11- 1951. Consolidation and collection were made simultaneously in progress in the same mile. As such there is no scope for any contractor to transport the from the spreading to another mile. The above checking may please be verified.

(c) — The explanation of the departmental mastery Ibrahim who supervised my work may be perused. If the Department is found me as guilty in transporting the metal, suitable action should have been taken against the departmental officer who was in charge of the work. No action is seen taken by the authority.

(d) If the conveyance of metal to further miles is contrary to rules and regulations when the spreading is in full progress & in other miles, the Assistant Engineer should not have hired out the Departmental Jerry M.S.B 2615 and he should have informed me not to cart the metal. This course was not adopted by the officer.

(e) Suppose if the A.E. had noticed the theft of metal he should have immediately verified the balance material at site in mile 43/4, 7 & 8. This course also was not adopted.

(f) During the progress of collection, and also consolidation, all the departmental officers have inspected the road now, and then and if they found that the conveyance of metal at the time of their inspection they could have seized the metal and reported the theft to Police. If the journals of the Officers who were in charge then are verified, the Honorable Minister can very well judge the real truth of the case.

(g) Before passing the final orders by the Divisional Engineer a ^{charge sheet} should have been issued under Clause 60(a) of M.D.S.S. This omission is now brought to notice.

(h) I collected metal to the extent of 19989 C.ft as follows Mile 41- 3793, Mile 42- 4989, mile 44- 3693. mile 46 3773 and mile 48- 3741 and spreading done to the extent of 124020 S.ft and 2" thickness for which 20.670 C. ft is required to cover up the area.

This spreading was accepted by the department and payment was also made in March 1952 showing the above metal as issue. When these issues are accepted by the department there is no question of removal of metals.

6 After the payment of spreading at 2" the A.E. has now reduced the thickness of spreading from 2" to 1½" just to strengthen his allegation and ordered for recovery in the final bill. The thickness of spreading and the number of heaps issued for each log can be seen from the daily log sheet of rollers and also from the statement of the departmental maistry who supervised the work.

H (1) The Divisional Engineer South Kanara in his No. 84/51 C.L. dated 3-5-1952 has ordered that payment for collection may be made to the extent of 18,250 units disallowing the excess quantity of collection. Accordingly the supervisor had measured the collection on 5-6-52 and admitted only 18.25 as against 2570 C.ft of metal there by disallowing 1035 C.ft. The above collection was check-measured by the A.E. on 16-9-1952 after a delay of 10 months and again disallowed a further quantity of 294 C.ft and allowed a total of 1531 C.ft of metal. It is not understood how the A.E. has further disallowed 294 C.ft of metal when the Divisional Engineer has ordered to allow 18.25 units which is contrary to the order passed by the Divisional Engineer. This is nothing but harassing the poor contractors. Justice may kindly be imparted immediately. The collection was done on 7-11-1951, measured on 5-6-1952 and check measured on 16-9-1952. The delay in every stage is brought to notice.

3/ The Departmental officers who were in charge of my work were Sri. R.L. Shroghata who is now the personal Assistant to C.E. (H) Madras and Sri. Gurusiddiah who is now working in Andhra Province.

I had already furnished all copies of orders received from the Divisional Engineer along with my original appeal petition filed to C.E.. As such the following filed may please be called for and justice imparted to me at an early date.

- (a) S.E's D.Dis No. 3006/52
- (b) 4499/52.
- (c) C.E's Memo No. 53527 D2/52 and connected papers thereto.

Yours faithfully

P. S. S. S.
3-3-54

S. S. S. S.
Contractor.

Copy submitted to Prime Minister C. Rajagopal Achin Madras for favour of information.

P.W (A2)

27
4/3

Exdt. No. 19429A/54-1 Dated 12-3-54

Referred to the C.E (H) for early remarks.

A
9.3.54

my
12.3.54

K. S. S.
11-3-54

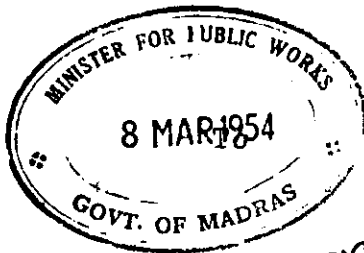
To S. S. S.
17/3
The C.E (H)
with copy
of 11-3-54

Puttur,
3rd March 54

From

Nattoji Krishnayya,
Highways Contractor,

Puttur, South Kanara.



19912

The Honorable Minister,

Public Works Department,

M A D R A S.



*See in
BP 1-4
above*
Sir,

Contract- South Kanara District. Mce of Mangalore
Mercara Road Sec 40/0 to 48/0 for 51-52- Discre-
pancy in check-measurement and contractor
debarred from tendering H.W.Works- appeal of -

SECY., P.W.D.

Large Nicks
Minister (W) 7/13

The Divisional Engineer, Highways, South Kanara in his No. 84/51-52 dated 11-2- 1954 has informed me that the Chief Engineer (H) rejected my appeal filed on the order passed by the Divisional Engineer vide C.E's Memo 53527 Dated 2/52-53 dated 15-1- 1954. As the order passed by the C.E. is not on the merits of the case, I am again preferring appeal against the order passed by the C.E. for favourable consideration.

In continuation of my appeal petition dated 12-9-52 (Copy enclosed) the following few further facts are submitted herebelow for kind consideration and favourable orders.

(a) The Chief Engineer was pleased to order for personal enquiry thro. the S.E. but the Superintending Engineer held the enquiry on 28-2-53 only on one side without summoning the then Assistant Engineer Sri.R.L.Shrestha who is the present Assistant to the Chief Engineer. If Sri.Shrestha was examined in my presence by the S.E. there would have been no allegation against me. Further the file of correspondence relating to statements obtained from the lorry crew and 2 maistries may kindly be perused which will reveal the truth of the allegation.

(b) The collection on the road was measured by the supervisor on 24-9- 1951 and check.measured by the

A.E. on 12-10- 1951. Spreading was commenced on 24-10-51 and completed on 13-11- 1951. Consolidation and collection were made simultaneously in progress in the same mile. As such there is no scope for any contractor to transport the from the spreading to another mile. The above checking may please be verified.

(c) ~~The explanation of the departmental maistry Ibrahim~~ who supervised my work may be perused. If the Department is found me as guilty in transporting the metal, suitable action should have been taken against the departmental officer who was in charge of the work. No action is seen taken by the authority.

(d) If the conveyance of metal to further miles is contrary to rules and regulations when the spreading is in full progress in other miles, the Assistant Engineer should not have hired out the Departmental lorry M.S.C 8615 and he should have informed me not to cart the metal. This course was not adopted by the officer.

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(f) During the progress of collection and also consolidation, all the departmental officers have inspected the road now and then and if they found that the conveyance of metal at the time of their inspection they could have seized the metal and reported the theft to Police. If the journals of the Officers who were in charge then are verified, the Honorable Minister can very well judge the real truth of the case.

(g) Before passing the final orders by the Divisional Engineer a ^{charge sheet} should have been issued under Clause 60(a) of M.D.S.S. This omission is now brought to notice.

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~~This spreading was a~~

This spreading was accepted by the department and payment was also made in March 1952 showing the above metal as issue. When these issues are accepted by the department there is no question of removal of metals.

After the payment of spreading at 2" the A.E. has now reduced the thickness of spreading from 2" to 1½" just ~~to strengthen his allegation and ordered for recovery in~~ the final bill. The thickness of spreading and the number of heaps issued for each log can be seen from the daily log sheet of rollers and also from the statement of the departmental maistry who supervised the work.

(1) The Divisional Engineer South Kanara in his No. 84/51 C.L. dated 3-5-1952 has ordered that payment for collection may be made to the extent of 18.250 units disallowing the excess quantity of collection. Accordingly ~~as~~ the supervisor had measured the collection on 5-6-52 and admitted only 18.25 as against 2570 C.Ft of metal there by disallowing 1035 C.ft. The above collection was check-measured by the A.E. on 16-9-1952 after a delay of 10 months and again disallowed a further quantity of 294 C.ft and allowed a total of 1531 C.ft of metal. It is not understood how the A.E. has further disallowed 294 C.ft of metal when the Divisional Engineer has ordered to allow 18.25 units which is contrary to the order passed by the Divisional Engineer. This is nothing but harassing the poor contractors. Justice may kindly be imparted immediately. The collection was done on 7-11-1951, measured on 5-6-1952 and check measured on 16-9-1952. The delay in every stage is brought to notice.

The Departmental officers who were in charge of my work were Sri.R.L.Shreshta who is now the personal Assistant to C.E. (H) Madras and Sri.Gurusiddiah who is now working in Andhra Province.

2

I had already furnished all copies of orders received from the Divisional Engineer along with my original appeal petition filed to C.E.. As such the following files may please be called for and justice imparted to me at an early date.

- (a) S.E's D.Dis No. 3006/52
- (b) " " 4499/52
- (c) C.E's Memo No. 53527 D2/52 and connected papers thereof.

Order
3-3-52

Yours faithfully

S. Athoji Vintu. Lu
Contractor.

Copy submitted to Prime Minister *C. Raja Gopal achari*
Madras for favour of information.

Nattoje Krishnamaya

P. O. PUTTUR, S. K.
St. MANGALORE.

Highways & Police
Contractor.

MINISTER FOR PUBLIC WORKS
18 MAR 1954
23634
GOVT. OF MADRAS

Date 5-3-1954

1942a

The Honorable Minister Public

GOVERNMENT
PUBLIC WORKS DEPARTMENT

ASST. SECRETARY
20 MAR 1954
PUBLIC WORKS DEPARTMENT

Respected Sir

Sub: Appeal Petition of

Nattoje Krishnamaya - Contractor Puttur S.K

Dated 3.3.54

I beg to submit that I have by oversight failed to enclose the copy of my appeal petition submitted to the Chief Engineer Highways Madras, and I am now submitting the same in continuation of my petition cited above. PP11-1644
Copy to Sir C. Rajasohal Achari
Chief Minister Government of Madras
Perth St George Madras

I beg to remain Sir

your most obedient
Servant

SECY., P.W.D.

Nattoje Krishnamaya
Minister(W)

Nattoje Krishnamaya

15.3.54

12th September, 1952.

From: -

Nattoji Krishnaya,
Highways Contractor,
Puttur, S.Kanara.

To,

The Chief Engineer,
Highways,
Chepakk, Madras.

Sir,

Contract: South Kanara District. Maintenance of
Mangalore Marcara Road Sec. 40/0 to 48/0
Discrepancy in check measured and Contractor
debarred from tendering Highways work for 2 years-
Appeal petition-

Cancellation requested.

S.E.S D. Dis. No. 3006/52 dated 11-8-1952.

I preferred an apeal under date 13-4-1952 against the
orders passed by the Divisional Engineer (H) Mangalore in
proceedings Ref. 846.L.51, dated 6-4-'52 to the Superintending
Engineer (H) Fourth Circle, Coimbatore. But the S.E. in his
D.Dis. No. 3006/52 date 11-8-'52 has advised me as follows:-

1. "If you so choose you may appeal with sufficient
evidence to the Chief Engineer (H) who is the competent
authority to finally pass orders on your appeal".

2. In view of the above advise by the S.E.I. again prefer
these representations again to C.E. for kind considerations of
the harsh punishment to a contractor who is quite innocent of
the fact by the Divisional Engineer (H), Mangalore.

(1) The Divisional Engineer (H) Mangalore in his above
proceedings has ordered that I surreptitiously transported
some of the metal priviously check measured in Miles 45/2,3,8
and 47/7 and offered as fresh metal and as such I was debarred
from tendering Highway works for two years from 1-4-1952.

(2). After the completion of works in Miles 41, 42, 44, 46 and 48 the metal so collected was got check measured and spreading commenced with the Departmental roller S.R.R. No. 1351 and 1356 from 24-10-51 to 13-11-51 when the spreading was in progress the A.E. (H) Puttur who inspected the road has ordered me to convey balance metal required for miles 45/2 and 3, 45/8 and 47/7 so as to complete entire spreading* at a stretch. But anticipating the bad happening I solely depend on the instructions of my Departmental Departmental lorry-M.S.G.-8642-Officer. I engaged the Departmental lorry M.S.C. 8642 from 30-10-51 but due to my misfortune this lorry was mechanically unfit after a run of few trips. Again the A.E. had pressed me to complete the collection making my own arrangements. I had no other go than to engage private lorry of Taj Mahal Timber Co. Mangalore, for the above purpose. If the conveyance of metal for further furlongs is contrary to rules and regulations when the spreading is in full swing, the A.E. (H) should not have hired out the Departmental Lorry and he should have informed me not to cart the metal. Further I have got sufficient evidence to prove the above facts if an enquiry is held.

(3). After the completion of all collection I received a notice, No. 85/51 M dated 7-12-51 from the Divisional Engineer asking me to furnish me detailed accounts of the source from which the above metal was ~~collected~~ basing on the report of the A.E. (H) Puttur dated 13-11-51. Accordingly full* particulars regarding the source of metal were furnished vide my report dated 18-12-51. Again I was summoned to the Divisional Office with the trip sheets of the private lorry together with the witnesses on 1-2-52. The Divisional Engineer had gone through some sheets and returned me and also not examined my witnesses in support of the metal and quantity of the metal and the quarry from which it was carted. Divisional Engineer has not even held an enquiry fully with me or neither with my Maistry nor with my coolies as intimated in his memo dated 24-1-1951

After the personal enquiry the Divisional Engineer has issued in No. 85/51 dated 6-4-52 that I was debarred from tendering from Government works in this division for a period of 2 years from 1-4-1952 on the plea that the metal already collected in miles 45/2,3, 45/8 and 47/7 and check measured surreptitiously transported to other furlongs. The above proceedings was issued by the Divisional Engineer solely basing on the strength of the report of A.E. (H) Puttur. If the Divisional Engineer had patiently gone through the relevant records available with me as well as with the departmental road maistry and also the roller driver he would not have passed such orders. In the mean time, I sought information as to the furlongs from which I transported the metal to other furlongs. This fact was also not made known to me by the Divisional Engineer even at the time of personal enquiry. No reply has so far been received from the Division Engineer. If, he had furnished this information I could have furnished the full particulars about the happenings, above. If log sheet of the roller (daily) is verified, you will be satisfied as to the number of heaps issued to each spreading furlongs.

The A.E. (H) has not taken any action i.e. no enquiry of any nature was held and no explanation of mine was also ~~xi~~ called for. If he had such doubt of transporting metal, he should have verified the balance material by the road side and recorded in the M Book, Before ordering me to convey me the fresh metal which the A.E. (H) Puttur, has not done. Before taking such a course by the Divisional Engineer, he should have issued a notice under clause 60 of M.D.S. as per the penal clause in the contract agreement, detailing therein the charges framed. against me. After the issue of this notice and after

~~The~~ obtaining my explanation the Divisional Engineer should have passed the proceedings on the merits of the case. Failure to do so, the orders now passed is contrary and require cancellation by the ~~Chief~~ chief Engineer.

VH -4-

4. Further, the spreading in the miles 45/2,3, 45/4 and 47/7 was completed on 13-11-51 where as the actual collection was completed on 7-11-51 which can be seen from the trip sheet of the lorry. There is no justification in having charged me for the removal of the metal when the collection of metal is fully completed prior to the commencement of spread. When the collection is in progress the Departmental Road Maistry was also resent at the road and if the Maistry's Diary is verified you will be satisfied what I have narrated.

5. During the progress of, collection, all the Departmental Officers have inspected the road now and then and, if they found that the conveyance of metal at the time of spreading is not proper they should have issued notice to stop further collection which they have not done. If the journals of these officers are verified the Chief Engineer will be satisfied.

6. There is no necessity for me to remove the metal already collected and paid for, I have not done such mischief during the course of contract. I am a standing contractor, for over 12 years and there was no such adverse remarks about the quality and quantity of work done hitherto. I have taken contract works from various departments. These allegations have crept in due to misunderstandings between the A.E. (H) Puttur and myself which can very well be verified if a kind reference is ade to Executive Officers of the Panchayat Board Puttur, where I have taken works costing Rs. 6,600-0-0.

7. In the proceedings of the Divisional Engineer it is also seen that log book of the private lorry M.D.X.878 belonging to the Taj Mahal Timber Co., that there are several discrepancies in the entries made in the entries made in the book and mileages for trips recorded. There are no such mistakes in the book as alleged to be the Divisional Engineer, if required the book will be made available to the Chief Engineers's perusal.

8. I may also be kindly permitted to bring to the special notice of the Chief Engineer, that I have collected ~~many~~ metal to the extent of 1,990.85b ft. (excluding the metal ...)

-5- 15

and not paid for as yet) and done the spreading work to the extent of 1,24020, sq. ft. at 2" thickness for which 20,670 C.ft. is required to cover up the area. As such, it is not understood how it is possible to remove the metal when there is no suspense metal on the road side in these furlongs. For the above work (spreading) I was also paid for, in March 1952 allowing the issue of 20,670 C.ft. If this issue is allowed, the question of removal of metal does not arise and the orders passed by the Divisional Engineer is null and void since there was nil balance in these furlongs. This may kindly be investigated and got verified. The spreading work was also check measured. If the A.E.(H) Pattur, ~~xhadxxaidxxsinxxthxx~~ had no prejudice against me he could not have reported direct to the Divisional Engineer, without proper investigation nor proper enquiry though I approaching the A.E.(H) several times regarding further collections work and also to get the same check measured and he never informed a word about the above happenings.

9. Apart from the above proceedings of the Divisional Engineer, he again ordered in No.84/51CL dated 3-5-52 as follows:-

"Payment for collection by the contractor in Miles 45/2,3, 45/8 and 47/7 may be measured and paid for dis-allowing in quantity in excess of 18½ units of metal".

As per the above proceedings, metal aggregating to 1,035 C.ft., has been disallowed as against the metal of 2570 collected and stocked on road side as per orders of the Assistant Engineer and also as per terms of agreement as entered into by the Divisional Engineer. Again, I preferred an appeal under dated 8-5-52 for consideration of the above order passed by the Divisional Engineer but due to my misfortune no orders have been received by the Divisional Engineer, so far.

10. The above metal was collected by me on 7-11-51 and the measurement of these collections was made after six

months during this measurement a further rejection of 745 C.ft. metal was also made since stacks already done were disturbed by the passers by. Further, the Supervisor has measured all the collections done by the aggregating to 2,384 C.ft. i.e. with lesser depth (disturbed heaps) and allowed only 1,639 C.ft. in the bill. In this connection I may be kindly permitted to bring to your kind notice that the procedure adopted by the department is irregular since the Supervisor should have rejected the metal during measurement such of the heaps which are reported to be surreptitiously transported ~~together~~ together furlongs. It is evident from this that the Department could not distinguish such of the metal which are transported to other furlongs and really no such metal was transported, ~~in~~ ~~either~~ Since the Supervisor has measured the entire collections done by me there is no reason to believe that such mal-practice has been crept in during collection. In the circumstances stated above that the Divisional Engineer's order No.84/52 C.L. dated 3-5-52 ordering the payment for collection in miles 45/2,3, 45/8 and 47/7 may be measured and paid for disallowing the quantity in excess of 18-25 unit is null and void.

Further, I submit that I have got every evidence in support of my contentions and if personal enquiries orders I am prepared to furnish the witnesses in support of all my content. As such I pray that early enquiry may kindly be order and thus save me form further troubles.

I had already furnished all the copies of orders received from the Divisional Engineer along with my original appeal petition dated 13-4-52, -filed to S.E. The whole file of S.E. dealing with the subject vide his D.Dis. No. 3006/52 dated 11-5-52 may kindly be called for and justice imparted to me at an early date.

Yours faithfully,

(Sd) Nattoji Krishnaya
Contractor.

(True copy)

Nattoji Krishnaya

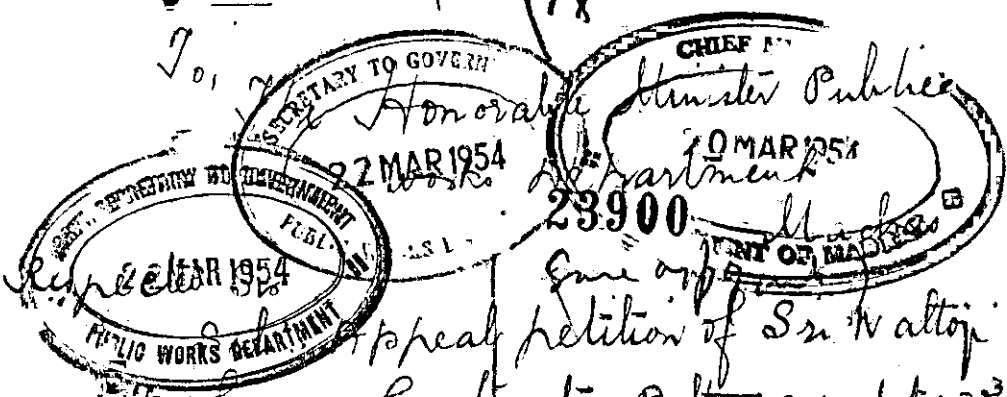
je Krishnappa

Highways & Police

Contractor.

P. O. PUTTUR, S. K.
Ry. St. MANGALORE.

Date 15-3-1954



Appeal petition of Sri K. attop
Highways Contractor Puttur S. K. dated 3³/₅
I beg to submit that I have by oversight
failed to enclose the copy of my appeal
petition submitted to the Chief Engineer
Highways Madras, and I am now submitting
the same in continuation of my petition cited
above

Copy to Sri C. Rajagopal a chain
Chief Minister Government of Madras
First St George Madras I beg to remain
yours most obedient
Servant

S. attop Venuh
15-3-54

- 19 /

P U T T U R.
12th September, 1952.

From:-

Nattoji Krishnaya,
Highways Contractor,
Puttur, S.Kanara.

To,

The Chief Engineer,
Highways,
Chepauk, Madras.

Sir,

Contract: South Kanara District. Maintenance of
Mangalore Marcara Road Sec. 40/0 to 48/0
Discrepancy in check measured and Contractor
debarred from tendering Highways work for 2 years--
Appeal petition-

Cancellation requested.

S.E.S D. Dis. No. 3006/52 dated 11-8-1952.

I preferred an appeal under date 13-4-1952 against the orders passed by the Divisional Engineer (H) Mangalore in proceedings Ref. 84C.L.51, dated 6-4-'52 to the Superintending Engineer (H) Fourth Circle, Coimbatore. But the S.E. in his D.Dis. No. 3006/52 date 11-8-'52 has advised me as follows:-

1. "If you so choose you may appeal with sufficient evidence to the Chief Engineer (H) who is the competent authority to finally pass orders on your appeal".

2. In view of the above advise by the S.E.I. again prefer these representations again to C.E. for kind consideration of the harsh punishment to a contractor who is quite innocent of the fact by the Divisional Engineer (H), Mangalore.

(1) The Divisional Engineer (H) Mangalore in his above proceedings has ordered that I surreptitiously transported some of the metal previously check measured in Miles 45/2,3,8 and 47/7 and offered as fresh metal and as such I was debarred from tendering Highway works for two years from 1-4-1952.

20
- 2 -

(2). After the completion of works in Miles 41, 42, 44, 46 and 48 the metal so collected was got check measured and spreading commenced with the Departmental roller S.R.R. No. 1351 and 1356 from 24-10-51 to 13-11-51 when the spreading was in progress the A.E. (H) Puttur who inspected the road has ordered me to convey balance metal required for miles 45/2 and 3, 45/8 and 47/7 so as to complete entire spreading at a stretch. But anticipating the bad happening I solely depend on the instructions of my ~~Departmental~~ Departmental lorry-M.S.G.-8642-Officer. I engaged the Departmental lorry M.S.C. 8642 from 30-10-51 but due to my misfortune this lorry was mechanically unfit after a run of few trips. Again the A.E. had pressed me to complete the collection making my own arrangements. I had no other go than to engage private lorry of Taj Mahal Timber Co., Mangalore, for the above purpose. If the conveyance of metal for further furlongs is contrary to rules and regulations when the spreading is in full swing, the A.E. (H) should not have hired out the Departmental Lorry and he should have informed me not to cart the metal. Further I have got sufficient evidence to prove the above facts if an enquiry is held.

(3). After the completion of all collection, I received a notice, No. 85/51 M dated 7-12-51 from the Divisional Engineer asking me to furnish me detailed accounts of the source from which the above metal was ~~collected~~ basing on the report of the A.E. (H) Puttur dated 13-11-51. Accordingly fully particulars regarding the source of metal were furnished vide my report dated 18-12-51. Again I was summoned to the Divisional Office with the trip sheets of the private lorry together with the witnesses on 1-2-52. The Divisional Engineer had gone through some sheets and returned me and also not examined my witnesses in support of the metal and quantity of the metal and the quarry from which it was carted. Divisional Engineer has not even held an enquiry fully with me or neither with my Maistry nor with my coolies as intimated in his memo dated 24-1-1952.

- 2 - 01/

After the personal enquiry the Divisional Engineer has issued in No. 85/51 dated 6-4-52 that I was debarred from tendering from Government works in this division for a period of 2 years from 1-4-1952 on the plea that the metal already collected in miles 45/2,3, 45/8 and 47/7 and check measured surreptitiously transported to other furlongs. The above proceedings was issued by the Divisional Engineer solely basing on the strength of the report of A.E.(H) Puttur. If the Divisional Engineer had patiently gone through the relevant records available with me as well as with the departmental road maistry and also the roller driver he would not have passed such orders. In the mean time, I sought information as to the furlongs from which I transported the metal to other furlongs. This fact was also not made known to me by the Divisional Engineer even at the time of personal enquiry. No reply has so far been received from the Division Engineer. If, he had furnished this information I could have furnished the full particulars about the happenings, above. If log sheet of the roller (daily) is verified, you will be satisfied as to the number of heaps issued to each spreading furlongs.

The A.E. (H) has not taken any action i.e. no enquiry of any nature was held and no explanation of mine was also not called for. If he had such doubt of transporting metal, he should have verified the balance material by the road side and recorded in the M Book, Before ordering me to convey me the fresh metal which the A.E. (H) Puttur, has not done. Before taking such a course by the Divisional Engineer, he should have issued a notice under clause 60 of M.D.S. as per the penal clause in the contract agreement, detailing therein the charges framed against me. After the issue of this notice and after

* After obtaining my explanation the Divisional Engineer should have passed the proceedings on the merits of the case. Failure to do so, the orders now passed is contrary and require cancellation by the Chief Engineer

22/ -4- -
4. Further, the spreading in the miles 45/2,3, 45/8, and 47/7 was completed on 13-11-51 where as the actual collection was completed on 7-11-51 which can be seen from the trip sheet of the lorry. There is no justification in having charged me for the removal of the metal when the collection of metal is fully completed prior to the commencement of spread. When the collection is in progress the Departmental Road Maistry was also present at the road and if the Maistry's Diary is verified you will be satisfied what I have narrated.

5. During the progress of, collection, all the Departmental Officers have inspected the road now and then ~~and if they found that the conveyance of metal at the time of spreading is not proper they should have issued notice to stop further collection which they have not done.~~ If the journals of these officers are verified the Chief Engineer will be satisfied.

6. There is no necessity for me to remove the metal already collected and paid for, I have not done such mischief during the course of contract. I am a standing contractor, for over 12 years and there was no such adverse remarks about the quality and quantity of work done hitherto. I have taken contract works from various departments. These allegations have crept in due to misunderstandings between the A.E. (H) Puttur and myself which can very well be verified if a kind reference is made to Executive Officers of the Panchayat Board Puttur, where I have taken works costing Rs. 6,600-0-0.

7. In the proceedings of the Divisional Engineer it is also seen that log book of the private lorry M.D.X.878 belonging to the Taj Mahal Timber Co., that there are several discrepancies in the entries made in the book and mileages for trips recorded. There are no such mistakes in the book as alleged to be the Divisional Engineer, if required the book will be made available to the Chief Engineer's perusal.

8. I may also be kindly permitted to bring to the special notice of the Chief Engineer, that I have collected ~~now~~ metal to the extent of 1,990,8sb ft. (excluding the metal now, collected)

- 5 - 2/3

and not paid for as yet) and done the spreading work to the extent of 1,24,020, sq. ft. at 2" thickness for which 20,670 c.ft., is required to cover up the area. As such, it is not understood how it is possible to remove the metal when there is no suspense metal on the road side in these furlongs. For the above work (spreading) I was also paid for, in March 1952 allowing the issue of 20,670 C.ft. If this issue is allowed, the question of removal of metal does not arise and the orders : passed by the Divisional Engineer is null and void since there was nil balance in these furlongs. This may kindly be investigated and got verified. The spreading work was also check measured. If the A.E.(H) Puttur, ~~whom I had no prejudice against~~ had no prejudice against me he could not have reported direct to the Divisional Engineer, without proper investigation nor proper enquiry though I approaching the A.E.(H) several times regarding further collections work and also to get the same check measured and he never informed a word about the above happenings.

9. Apart from the above proceedings of the Divisional Engineer, he again ordered in No. 84/51CT. dated 3-5-52 as follows:-

"Payment for collection by the contractor in Miles 45/2,3, 45/8 and 47/7 may be measured and paid for dis-allowing in quantity in excess of 18½ units of metal".

As per the above proceedings, metal aggregating to 1,035 C.ft., has been disallowed as against the metal of 2570 collected and stocked on road side as per orders of the Assistant Engineer and also as per terms of agreement as entered into by the Divisional Engineer. Again, I preferred an appeal under dated 8-5-52 for consideration of the above order passed by the Divisional Engineer but due to ~~my~~ my misfortune no orders have been received by the Divisional Engineer, so far.

10. The above metal was collected by me on 7-11-51 and the measurement of these ~~cell~~ collections was made after six

18/4/52 - 6 -
months during this measurement a further rejection of 745 C.Ft. metal was also made since stacks already done were disturbed by the passers by. Further, the Supervisor has measured all the collections done by the aggregating to 2,384 C.ft. i.e. with lesser depth (disturbed heaps) and allowed only 1,639 C.ft. in the bill. In this connection, I may be kindly permitted to bring to your kind notice that the procedure adopted by the department is irregular since the Supervisor should have rejected the metal during measurement such of the heaps which are reported to be surreptitiously transported ~~together~~ together furlongs. It is evident from this that the Department could not distinguish such of the metal which are transported to other furlongs and really no such metal was transported, ~~in~~ ~~either~~ Since the Supervisor has measured the entire collections done by me there is no reason to believe that such mal-practice has been crept in during collection. In the circumstances stated above that the Divisional Engineer's order No. 84/52 C.L. dated 3-5-52 ordering the payment for collection in miles 45/2, 3, 45/8 and 47/7 may be measured and paid for disallowing the quantity in excess of 18-25 unit is null and void.

Further, I submit that I have got every evidence in support of my contentions and if personal enquiries orders I am prepared to furnish the witnesses in support of all my content. As such I pray that early enquiry may kindly be order and thus save me from further troubles.

I had already furnished all the copies of orders received from the Divisional Engineer along with my original appeal petition dated 13-4-52, filed to S.E. The whole file of S.E. dealing with the subject vide his D.Dis. No. 3006/52 dated 11-5-52 may kindly be called for and justice imparted to me at an early date.

Yours faithfully, -

(Sd) Nattij Vindharay a
Contractor.

(True copy)

Sd/- attij Vindharay

19424/54

25

PW(A₂)

Pages 9-17 auto

Filed. (The petition on pp 11-16 auto is only a copy of petition submitted to the CE(H)).

2 p 4 auto

The report called for from H.
CE(H) may be awaited till 10/4/54.

22/3/54
H.M.
22-3-54

23.3.54

3/6
6

~~29~~ / P.W. (H2)

Memo. No. 19429A/54-2D/7-554

Sub- Contracts - Highways

Dept - South Kanara Dt -

Maintenance work in M. 40/
to 48/0 of Mangalore Marissa

Road - Discrepancy in
check measurement -

Contractor debarred from
tendering for works -

Appeal of Sni. Nattoji
Krishnaya

p 4 of Ry: Govt. Memo. 19429A/54
P.W. dated 12-3-54

28

The CE(H) is requested
to state when his
report may be
expected.

~~7-5-54~~

m.
7.8.04

Kim
7-5-54

✓ To ~~SA~~ 10/5/54
The CE(H)

NR 5/6

19429/54

HIGHWAYS DEPARTMENT.

29

41003

From
Sri.K.K. Mambiar, B.E.,
A.I.E. (Ind).., F.Inst.H.E. (Eng)..,
M.I.Tun.E. (Eng).., M.Am.Soc.C.E.,
Chief Engineer (Highways),
Chepauk, Madras 5.

To
The Secretary to Government,
Public Works Dept.,
Fort St. George,
Madras.

Letter no. 53527 B2/52-10 Dated 17th May, 1954.



Sub:- Contracts - Highways Department - South Kanara District - maintenance work in mile 40/0 to 48/0 of Mangalore Mercara Road - Discrepancy in check measurement - Contractor debarred from tendering for works - Appeal of Sri Nattoji Krishnayya.

12/27-28 and

Ref:- Government Memo No. 19429 A/54-2 P.W.D. dated 7--5--54.

The matter is under consideration and a reply will be submitted at an early date.

R. Seshagiri
For Chief Engineer (Highways).

E.17/5

A.R. K. 20/6/54

PW(A-2)

20/5/54 Kuv
21.5.54

22.5.54

42864

Minister (W) 27/5

Puttur- S.K.
13th. May 1954-

From: Nattoji Krishnayya,
Contractor, Highways,
Puttur. S. Kanara Dt.

To: The Honourable Minister for Public Works,
Government of Madras, Madras.

Sir,

Subject: Highways Department - Temporary debar and Payment withheld - Decided to be invalid.

Ref: Chief Engineer's (Highways) papers no. 53527 d2-52 -6 dated 1-12-1953.

In continuation to my petition dated 2-3-1954, I feel great pleasure in announcing to the Government the Government Pleader's views of upholding my contentions in toto of wrongful debar order as well as intentional malice in withholding the payment for years together legally due to me.

The order of the Superintending Engineer (Highways) Coimbatore for immediate payment has been unfortunately held back ~~appearing~~ due to order of the Government passed on my petition dated 3-3-54. For the bonafide reasons given in my previous petitions and also in view of the recent legal opinion obtained by Government, The Government may be pleased to order:-

- I. Immediate payment of the outstanding bills including the initial deposits.
- II. To revoke the order of debar passed by the Divisional Engineer Highways, Mangalore on 7-4-1952 and received by me on 10-4-52.

Should the order be delayed further, the Memorialist submits, that he will be put to unnecessary hardship and I will be constrained to put the matters before my legal advisers.

Yours faithfully,

Contractor.

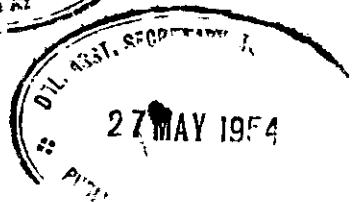
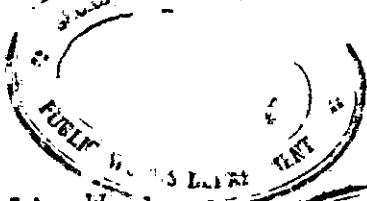
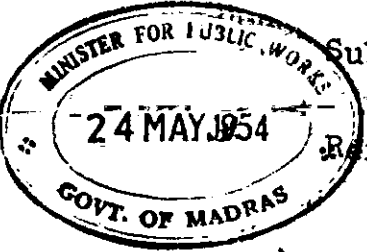
PW(AE)

Joted 28-5-54

Copy communicated to the CE(H).
He is requested to send his report at an early date.

27/5/54
27.5.54

28.5.54



16
25/6

30

4385A

P.W(A2)

Memor No. 19489-A/54-4 Dated 26-6-54

Sub:- (Sub: as on p.29 ante)

Ref:- From HCE(H) letter No.
53527-D2/52-10417-5-54 p.29 ante

Govt Lett. No. 19489A/54-3428-5-54 p.31 ante

The HCE(H) is requested
to state when his ^{final} reply
may be expected.

26.6.54

25/6/54
Kew
25.6.54

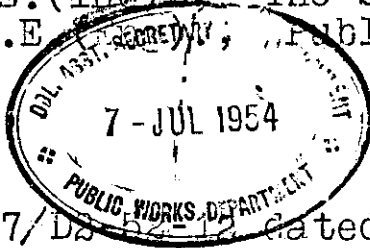
To: 20/6/54
The HCE(H)
NR
20/7

19421
54

HIGHWAYS DEPARTMENT.

53686 33

From Sri. I. K. Nambiar, B.E.M.I.E. (Ind) To The Secretary to Government
F. Ist. H.E. (Eng). M.I. Mun. E. Public Works Department,
M. Am. Soc., C E., Fort. St. George,
Chief Engineer (Highways) M A D R A S .9.
Chepauk, Madras.5.



Letter No. 53527/DS dated 3--7--54.

Sir,

Sub: Contracts--South Kanara District--Maintenance--
work in M. 40/0 -48/0 of Mangalore-Mercara
road--Discrepancy in Check-measurement--contrac-
tor debarred from tendering for works--appeal
of Sri. Nattoji Krishnayya:-

b32

Ref: Government Memo. No. 19429 A/54-4 P.W. dated
26--6- 1954.

The matter is still under consideration and a
reply will be submitted at an early date.

gs. 3.7. For CHIEF ENGINEER (HIGHWAYS)

PM/3/7

27-5-54

A.R. 5/8/54

28.7.54

P.W.(A2)

34 -1

20/4
11/8

P.W(A2)

Memo. No. 19489-A/54-5 Dated 11-8-54

Sub: (as on p33 ante)

Ref:- From Rect(H) letter no. 220-1-D2/52-12 p33 ante
dated 3-7-54

The CH(H) is requested
to expedite his final reply.

11.8.54

20/4
13.8.54

To

THREE(H)
NR 5/9

65478

HIGHWAYS DEPARTMENT.

From
Sri K.K. Marbhar, S.E.M.I.E. (Ind)
F. Inst. A.E. (Eng) M.I. Inst. (Eng)
M. N. Soc. S.E.,
Chief Engineer (Highways)
Chennai, Madras.5.

To
The Secretary to Government,
Public Works Department, Madras.

Letter No. 53527-D2/52-15

Dated. 17.8.54.

Sir,

Sub: Contracts-South Kanara District Maintenance work in
M.40/0 of Mangalore Mercara road-Discrepancy in
Chic measurement-contractor Debarred from sending for
work-Appeal of Sri Nattoji Krishnayya.

Ref: Govt. Memo No: 19429-A/54-5 Dated 11.8.54.

The matter is still under consideration and a final reply
to Government will be submitted at an early date.

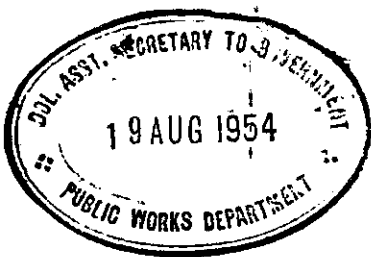
DN 17.8.54.

For Chief Engineer (Highways).

19/8/54.

19/8/54
19-8-54

20.8.54



85470

P.W (A2)

12

Memorandum 19429-A/54-6 Dated ~~24~~ 9-54. 259.

Sub: (as on p35 ante)

Ref: From the CE(H) letter No.
53527-D2/52-15 of 17-8-54 p35 ante

The CE(H) is requested
to expedite his final reply.

my
24.9.54

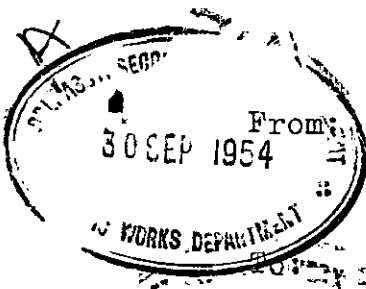
24.9.54
KOW
24-9-54

TO
THREE (H)
NR
24/10

76546

37
SECY., P.W.D.

Lawrence
Minister (W) *W.P.S.*



From: Nattaji Krishnayya,
Highways Contractor, Puttur. S.K.

The Honourable Minister For Public Works,
Government of Madras, Fort St. George, Madras.

1954
Sir,

Subject: Highways Department - Temporary Debar - Payment
withheld - Decided to be invalid.

Ref: Chief Engineer's (Highways) Paper No. 53527 d 2-
52-6 dated 1-12-1953 and my representation dated
13-5-1954.

I regret to inform that I have not yet received any
orders though it is more than four months of the representation
made to you.

p 31 ante
under R.O.
Postment
In my representation dated 13-5-1954, I have clearly
mentioned that I will be constrained to proceed with the matter
legally and unnecessary delay will drive me to that action.

I, Being a law abiding citizen, request that the papers
may be disposed off at an early date so that I may not be put
to further loss and further, the Government will be held
liable for any losses, I may incur in getting the grievances
redressed in a court of law.

Hoping that favourable orders may be passed at an
early date.

Yours faithfully,

Puttur. S.K.
24 - 9 - 1954.

Nattaji Krishnayya
Contractor.

Copy to : The Chief Engineer, (Highways) Chepauk, Madras. for
information and necessary action.

38

2628

W. 7022112

P.W(A₂)

Mem No. 19429 A/54-7 Dated 1-10-54

Sub: (as on p33 ante)

Ref: - From Sri. Nattoji Krishnayya
Letter dated 24-9-54

8/4.10

p 37 ante

A report in the matter
has been called for from

Re CE(H).
m 11.10.54

30.9.54
Kon
30.9.54

70

Sri N

Krishnayya,

Contractor, Puttur

South Kanara Dt

1/10 copy to the CE(H)

Note: -

The CE's report is still
awaited - vide p35 ante. With
ref. to the reminder from the Contractor
on p37 ante, an interim reply may
be sent to him. The draft above is
for approval.

m 1.10.54

30.9.54
Kon
30.9.54

19429/54

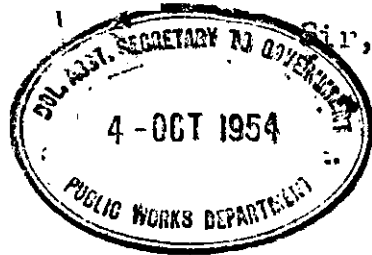
39

HIGHWAYS DEPARTMENT.

From
Sri.K.K.Nambiar, B.E., M.I.E., (Ind.)
F.Inst.H.E. (Eng.) M.I.Mun.E., (Eng.)
M.Ar.Soc.C.E.,
Chief Engineer (Highways)
Chepnuk, MADRAS-5.

To
The Secretary to Government,
Public Works Department,
MADRAS.

77298 Letter No. 53527-D2-52-13 dated 30.9.54.



Sir,
Sub:-Contracts - South Kanara District - Work in M 40/0
of Mangalore Mercara road - Discrepancy in
Checkmeasurement - Contractor Debarred from
tendering for works - Appeal of Sri Nattoji
Krishnaiah

Ref:-Govt.Memo No. 19429-A/54-6 P.W. dated 24.9.54. p 36 ante

.....

The matter is still under consideration and a reply
will be submitted at an early date.

TM/30.9.

AR till 5/11/54.

PW(A)

for CHIEF ENGINEER (HIGHWAYS)

9.10.54

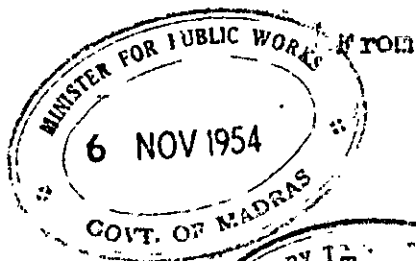
9.10.54

9.10.54

NA
30/9

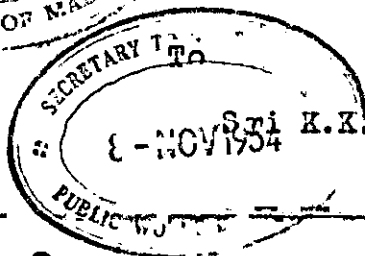
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41



Hattoji Krishnaya,

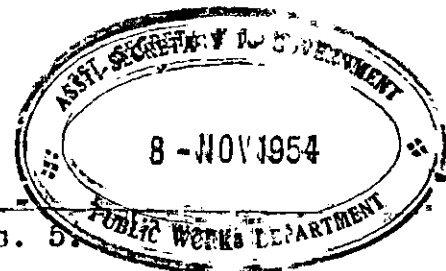
Contractor, Pattur P.O., South Kanara Dt.



Sri K.K. Nambiar, B.E., A.M.I.E.,

Chief Engineer, Highways,

Cherank, Madras 5.



Secy., P.W.D.

Handwritten signature Sir,

M(W) *Handwritten initials*

Sub:- Construction - South Kanara District -
Maintenance of Mangalore-Mercara Road -
Sec. 40/0 - to 48/0 for 1951-52 - Discre-
pancy in checkmeasurement - appeal petition -
disposal requested.

Ref: Memo. No.19429.A/54-7 dated 1-10-1954 of
Public Works Department - Madras.

Handwritten note: p38 and

It is seen from the above memo. received from
the Asst. Secretary to Government, Public Works Depart-
ment, Madras copy of which was also communicated to
you that a final report is awaited from you for the
final disposal of my appeal petition.

In this connection I submit that I had approached
you personally during your recent camp in South Kanara
District at Mangalore on 2-10-1954 and I represented
all my difficulties and hardships caused to me due to
non-disposal of my appeal petition dated 14-10-1952.
It is very strange to a poor contractor that no orders
~~were received through the appeal is pending more than~~
two years. Due to the non-disposal of my appeal petition
I will have to face the difficulties in receiving the
disputed amount of about Rs. 3,500-0-0 which is pending
payment from March 1952 onwards. Further until I get
the final bill for the above work a sum of Rs. 1,300-0-0

42

-/-

deposited for the work I cannot also put in a claim. In all the amount of Rs. 4,800-0-0 is under suspense for the last 3 years without any interest.

It may be kindly judged by the Chief Engineer the voluminous correspondence cropped up and the expenditure incurred by me apart from the huge liability of Rs. 4,800-0-0. During these hard days it may not be possible to keep any amount under suspense even for a day. It may also be kindly judged how a poor contractor can tolerate all these hardships for the past three years.

Q.W.V. 2

(-)-1-3

||

In the circumstances explained above I humbly request you to kindly send the final report as called for by the Government at an early date so that I may get the final orders on my appeal petition. If no orders are received within 15 days from the date of receipt of this letter, I shall be constrained to proceed in a Court of Law for the recovery of the amount together with interest for the last 3 years since the loan taken from the Bank carries interest and I am bound to pay the interest to the Bank.

If the Chief Engineer thinks that the final disposal of my appeal will take some more time, I may kindly be ordered a part payment of the bill and also order for the refund of the deposit money. Should the orders be delayed still the petitioner submits that he will be ~~not to unnecessary hardships and I will be constrained~~ to put the matter into the hands of my legal advisers.

Yours faithfully,

Puttur,
1st November 1954.

S. S. S. S. S.

Copy submitted to Hon'ble Minister for Public Works Department, Madras for favour of early orders.

P.W.A.

Filed. The CE's report is still awaited. A draft D.O. is submitted as ordered in the case list of A2.

M. 11.12

S. S. S. S. S.

43 PW(A)

D.O.No. 19429A/54-8 Dated 11.11.54

Dear Sri Kethara Munderim,

Sub: (as on p39 cf).

Ref: ~~From~~ CE's letter No. 53527-

D2/52-B dated 30-9-54

1231 Y.

I am to request you to see that the final report is sent at a very early date.

CTM
Tete I.O. Spatche's Initials.

Sri T. S. Kethara Munderim, B.E.

B
8/11/54

M
11.11.54

X.S.

E)

Kun
8/11/54

19429 Su

90162

OFFICE OF THE CHIEF ENGINEER (HIGHWAYS)
CHEPAUK, MADRAS-5.

45

D.O.No.53527-D2/52-15 dated 18.11.54.

Dear Sri Chandy,

Sub: CONTRACTS - S.Kanara District - Work in M 40/0
of Mangalore Morecava road - Discrepancy in check
measurement - Contractor disbarred from tendering
works, - Appeal of Sri Nattoji Krishnappa.

Ref: Your D.O.No.19245-A/54-8 dated 11.11.54. p 43 ante

...

I am to state that the matter is still under considera-
tion that a final report will be sent to Government at an early date.

Yours sincerely,

T. S. Kethara Mudaliar
18.11.54

(T.S. KETHARA MUDALIAR)
DEPUTY CHIEF ENGINEER (HIGHWAYS)

To Sri A.J. Chandy, B.A.,
Assistant Secretary to Government,
Public Works Department, MADRAS-9

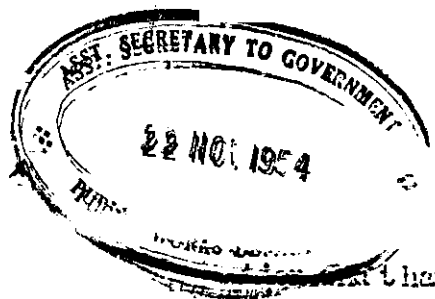
P.W/A2

AR. till 20/12/54.

23.11.54

22/11/54

Kuv
22.11.54



46

Memo No. 19429A/54-9. Dated 13-12-54. ^{P.W (A2)} 54
13-12

Sub: (K) on p45 ante)

Ref: -- From the Dy CE (H). D.O. No. 53527-D2/52-15
dated 18-11-54

The final reply may be
sent at an early date.

11-12-54

Kuv
11-12-54

13-12-54

CENTRAL DESPATCH BRANCH	
Despatched by	Van. Post. Regd. Post. Messenger
Date	14.12.54
Despatcher's Initials.	

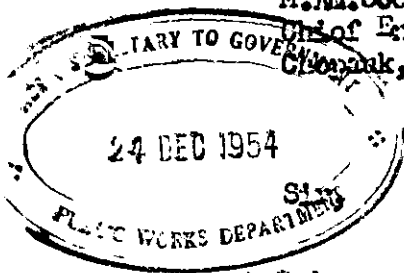
1945/1-2

47

HIGHWAYS DEPARTMENT

From
Sri K.K.Nambiar, B.E., M.I.E. (Ind),
F.Inst.H.E. (Eng) M.I.Mn.E. (Eng),
M.A.Soc.C.E.,
Chief Engineer (Highways),
Chennai, Madras-5.

To
The Secretary to Government,
Public Works Department,
Fort St. George,
MADRAS-9.



LETTER NO. 53527-D2/52-16 dated 22.12.1954.

99152

Sub: CONTRACTS - South Kanara District - work
in M 40/0 of Mangalore Mercara road -
Discrepancy in Chockmasurement - appeal
of Sri Nattoji Krishnappa.

Ref: Govt. Memo No. 19429-A/54-9 PW., dated
13.12.1954.

The matter is still under consideration and a final
reply will be submitted at an early date.

KCK...22.12.

Al. Suresh
for CHIEF ENGINEER (HIGHWAYS)

A-R. till 25/1/55. P.W(A2)

24/12/54
Km
24.12.54

27.12.54

48

Memorandum No. 19429A/54-10 Dated 31-1-55 P.W.(A2) 1/6

Sub: (as on p47 ante)

Ref: From the CE(H) Letter No. 53527-32/52-16 dated 22-12-54 p47 ante

The CE(H) is requested to send his final reply at a very early date.

31.1.55
Kuro
31.1.55

31.1.55

CENTRAL DESPATCH ROOM	
V	
Date 2/2.55	
To [Signature] s Initials.	

The CE(H)

From
Smt. J. V. Srinivas
Contractor
Panthur

No. The Secretary to the
Govt of Madras Public Works
Dept. Fort St George Madras

9074

Contracts South Kanara Highways Dept.
40/0 to 48/0 Mangalore Mearu roads
appeal petition dated 15.10.53 order to be
expedited

p 38 ante Reference Government Memo No 19429A
54-7 dated 1-10-54

In soliciting attention to the reference
— cited above the memo orders submit that the
proposals Madras Govt has not framed any
orders on an appeal presented to it 28 months
ago and that the time is already up to seek
remedy in a Court of law.

Yours faithfully

Panthur
31.1.55

Smt. J. V. Srinivas

P.W.(A2)

CENTRAL DESPATCH BRANCH

Despatched by

Encl. No. 19429A/54-11 Dated 7-2-55

Copy communicated to the
CE(H). He is requested to expedite
the submission of his final report

To

THE CE(H)

Kov

5.2.55

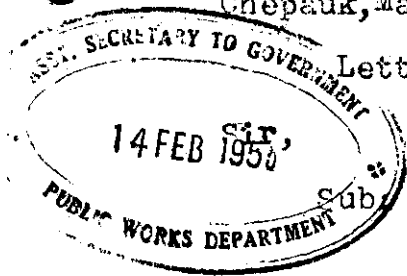
1770 // 37
Highways Department

51

From. 11513
Sri.K.K.Nambiar, B.E.M.I.E. (Ind).
F.Inst.H.E. (Eng) M.I.Mun.E. (Eng).
M.Am.Soc., C.E.,
Chief Engineer (Highways),
Chepauk, Madras.5.

To
The Secretary to Government
Public Works Department,
Fort.St. George, Madras.9.

Letter No.53527--D2/52-17 dated 10-2-55.



Sub. Contracts--South Kanara District--Work in Mile 40/0 of
Mangalore Mercara road--Discrepancy in Checkmeasurement--
Appeal of Sri.Nattoji Krishnayyar.

Ref: P.W.D.Memo.No.19429-A/54-10 dated 31--1--55.

, The matter is still under consideration and a final reply will
be submitted at an early date.

Gs.10.2.

Al. S. N. Nambiar
For Chief Engineer (Highways).

h
12.2

AR till 15/8/55.

PW(A2)

14/2/55
14.2.55

15.2.55

19429/54

52

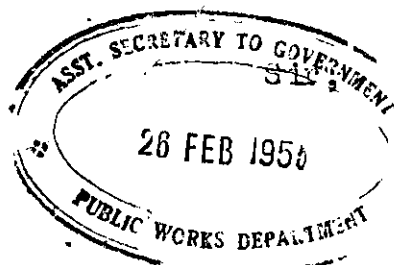
15706

HIGHWAYS DEPARTMENT

From
Sri K.K.Nambiar, B.E., M.I.E.(Ind),
F.Inst.H.E.(Eng) M.I.Mun.E.(Eng),
M.Am.Soc.C.E.,
Chief Engineer (Highways),
Chennai, Madras-5

To
The Secretary to Government
Public Works Department,
Fort St. George,
MADRAS-9.

Letter No. 53527-D/52-18 dated 24.2.55



Sub: CONTRACTS - S.Kanara - Highways Department - Mangalore
 of M 40/0 to 48/0 - Mangalore Merkara Road -
 Appeal of Sri Nattaji Krishnayya.

Ref: Govt. Endt. No. 19429-A/54-11 dated 7.2.55

The matter is still under consideration and a reply will be submitted at an early date.

OK . . 24.2.

Albrecht
for CHIEF ENGINEER (HIGHWAYS)

ME
24/2

A.R. till 15/3/55 as already P.W (A2)
ordered on p5/ante.

PW(A₂)

24/1/23
Kon

$$\frac{m}{28.2 \cdot 55}$$

54

S
22/3

Memo No. 19429A/54-12 Dated 22-3-55

P.W (A2)

Subj. (as on p 53 ante)

Ref:- From RCE(H) Letter No 53527-72/52-18 p 53 ante
dated 24-2-55The C.E. (H). is requested
to send his final reply at a
very early date.

22.3.55

22/3/55
22.3.55

TO
RCE(H)

PATCH BRANCH

Despatched by R. F. [initials]

24/3/1955. Despatched Initials.

19429/54

55

HIGHWAYS DEPT.

From
Sri.K.K.Nambiar, B.E.M.I.E. (Ind).
F.Inst.H.E. (Eng) M.I.Mun.E. (Eng).
M.Am.Soc., C.E.,
Chief Engineer (Highways),
Mepauk, Madras. 5.

To
The Secretary to Government,
Public Works Department,
Fort. St. George, Madras. 9.

Letter No. 53527 D2/52..19 dated 6th April, 1955.

Sir,

Sub: Contracts--South Kanara --Highways Department--Mile 40/0
to 45/0--Mangalore Merkara Road--Appeal by Sri Nattaji
Krishnāyya:

Ref: Government Memo.No.19429 A/54.12 dated 22..3..55.

The matter is under consideration and a reply will be submitted
at an early date.

R. Suresh
6/4/55
For Chief Engineer (Highways).

Gs.6.4.

A.R. to 25/4/55

P.W.(A2)

2
9.4.55

7-4-55
7/4/55

8/6

SECRETARY TO GOVERNMENT
7-APR 1955
PUBLIC WORKS DEPT.
28841

56

5)
30/4

Memo No. 19429A/54-13 Dated 30.4.55

P.W(A2)

Sub: - as on p 55 ante).

Ref: - From TRCE(H) letter No. 53527-32/
52-19 dated 6-4-55 / p 55 ante.

TRCE(H) is requested
to send his final reply at
an early date.

3
30.4.55

29.4.55
29.4.55

C. AND DESPATCH BRANCH		To
D. by		TRCE(H)
Date 3/5-1955		N 02
Despatcher's Initials		257/5

19429/54

57

37905

HIGHWAYS DEPARTMENT

From
Sri K. K. Nambiar, B.E.,
M.I.E.(Ind), F.Inst.H.E.(Eng),
M.I.Mun.E.(Eng), M.Am.Soc.C.E.
Chief Engineer (Highways),
Chepauk, Madras-5.

To
The Secretary to Government,
Public Works Department,
Fort St. George,
Madras-9.

LETTER No. 53527-D2/52-21 DATED 6-5-55.

Sir,

SUB: CONTRACTS - South Kanara - Highways Department -
Mangalore Horkara Road - H.40/0 - 41/0 - Appeal
by Sri Nattaji Krishnappa -

Ref: Public Works Department, Memo No. 19429-N/54-13
dated 30-4-55.

The matter is still under consideration and reply will be
submitted at an early date.

R. Suresh
For Chief Engineer (Highways).

VS.6/5.

6/5

A-R. Lem 5/6/55 P.W(A2)

9-5-55

10-5-55

10-5-55

p 56 and

58

P.W(A2)

D.O. No. 19429A/54-14 Dated 9-6-55

Dear Sri Kethara Mundalavar,

Sub: (as on p 57 ante)

Ref: C.E's Letter No. 53527-D2/52-21
dated 6-5-55

p 57 ante

I am to request you
to see that the final reply
is sent at a very early date.

CENTRAL DESPATCH BRANCH

V
10.6.55

M. Y.S. Date
8.6.55

8/6/55
K. V.
8.6.55

Sri T. S. Kethara
Mundalavar, B.E.,
Jy. CE(H),
Chennai

N R
7/7

19429/54

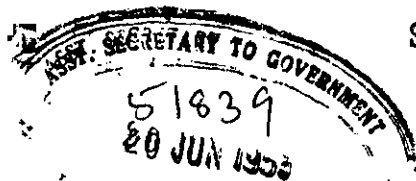
59

D.O.No.53527 D2/52-22.

Office of the Chief Engineer (Highways),
Chepauk, Madras-5, Dated 16th June 1955.

Dear Sri Chandy,

Sub: Contracts - South Kanara District
Highways Department - Mangalore
Mercara road - M.40/0 to 41/0 -
Appeal by Sri Nattaji Krishnayya.



ps 8 amb

Ref: Your D.O.No.19429 A/54-14 d/9-6-55.

I am to state that the matter is still
under consideration and that a reply will be sent
at an early date.

Yours sincerely,

T.S. Kethara Mudaliar
16.6.55

(T.S.Kethara Mudaliar)
Deputy Chief Engineer (Highways)

To
Sri A.J.Chandy, B.A.,
Assistant Secretary to Government,
Public Works Department,
Fort St.George, Madras-9.

P.W(A2)

A.R. till 20/7/55.

16/6

21.6.55
21.6.55
21.6.55

60 ^{20/7/55}
21/7

Memo No. 19429 A/54 - 15 Dated 20/7/55 : P.W.(A2)

Subj: — (as in p 59 ante)

Ref: — From the Dy. CF(H) No. 53527-D2/52-22 p 59 ante
dated 16-6-55

The CF(H) is requested
to send his final reply at
a very early date.

20/7/55
Kun
255

20-7-55

To

The CF(H)

CH R 15/8

1

D

20/7

61

.61419

Sec. 7229

ASST. SECRETARY TO GOVERNMENT
 From,
 Mattoji Krishnayya
 Contractor, Puttur, P.O., South Kanara District.
 To,
 The Hon. Minister for Public Works,
 Government of Madras, Fort St. George, Madras.

MINISTER FOR PUBLIC WORKS
 14 JUL
 GOVT OF MADRAS

DEPUTY SECRETARY TO GOVERNMENT
 19 JUL 1955
 PUBLIC WORKS DEPARTMENT

Sub: Contracts Highways-South Kanara Dist.,-Maintenance
 Work-in-M40-48/O of Mangalore Mercara Road- Discrepancies
 in checkmeasurement- Contractor debarred from tendering
 for works-Appeal petition for cancellation of the debar
 order- and immediate payment of pending bills and deposits.

p 38 ante

Ref: Your memo No., 19429 A/54-7 dated 1-10-'54.

MP-4ant

I submitted my appeal against the orders of the Divisional
 Engineer South Kanara on 3-3-'54, and after repeated reminders
 requesting early orders in the matter on 13-5-'54 and 24-9-'54
 I received the Memo. No. 19429-A/54-7 dated 1-10-'54, received
 from the Public Works Department.

I have not ^{heard} anything further in the matter since then ~~date~~
 till to this date.

The delay in disposing the above appeal has caused great
 hardships to me. So I request you to dispose the appeal
 at your earliest convenience ~~and pass~~ and pass such
 orders as the merits of the case deserve.

Yours Faithfully,

Mattoji Krishnayya

Puttur S.K. 0
 11-7-'55 0

CE (H) DEPT

28/7/55

st.
r.
28/7/55

Director's Initials.

Date

PW(A21)
 Endt No. 19429 A/54-16 Dated 29.7.55

Copy communicated to the CE (H)
 He is requested to send his
 report ~~in~~ at a very early date

29.7.55

To
 The CE (H)

28/7/55
 Key
 28.7.55

19429/54

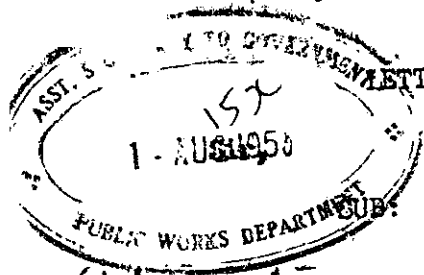
HIGHWAYS DEPARTMENT.

63

From
Sri K.K.Nambiar, B.E.M.I.E. (Ind).,
F.Inst.H.E. (Eng) M.I.Mun.E. (Eng).,
M.Am.Soc., C.E.,
Chief Engineer (Highways),
Chepauk, Madras.5.

To

The Secretary, ~~Forxx~~ Government,
Public Works Department, Madras.



LETTER NO. 53527.D2/55-23 DATED 27.7.55.

SUB: CONTRACTS - S.Kanara - Highways Department,
Mangalore Mercara Road. - Appeal of
Sri Nattaji Krishnayya.

Ref: Public Works Department Memo.No.19429-A/54-15 d/20.7.55,
---:oOo:--

The matter is under consideration and a reply will be
submitted at an early date.

SM.

for CHIEF ENGINEER (HIGHWAYS)
MADRAS.

A-R to U 25/8/55 P.W(A2)

4.8.55 KVV/c.55

3/5.8.55

64
30/8

Me. 194-29A/54-17. Dated 27-8-55 ^{P.W(H)}

Sub: (as on p63 ante)

Ref: - From the C.E(H) letter No. 53527-D2/55-23
dated 27-7-55

+ 63 ante

The C.E(H) is requested to
expedite his final reply.

27-8-55

Kuv
27-8-55

27/8/55

CENTRAL DESPATCH BRANCH	
Date	

To

CE(H)

N.R.

25/8

25/8

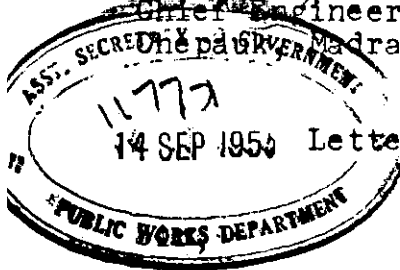
19.429/54

65

HIGHWAYS DEPARTMENT

From
Sri K.K.Nambiar, B.E., M.I.E., (Ind)
F.Inst.H.E., (Eng) M.I.Mun.E., (Eng)
M.Am.Soc.C.E.,
Chief Engineer (Highways),
Madras.5.

To
The Secretary to Government,
Public Works Department,
Fort St. George,
Madras.9.



Letter No.53527 D2/52-24 dated 10-9-55.

Sub: Contracts - South K
Mangalore Mercara road - appeal of Sri Nattoji
Krishnayya.

64 ant

Ref: Govt. Memo No.19429 A/54-17 P.W., dated 27-8-55.

The matter is under consideration and ^ureply will
be submitted at an early date.

P.W(A2)
H.R. till 10/10/55.
14.9.55
15.9.55

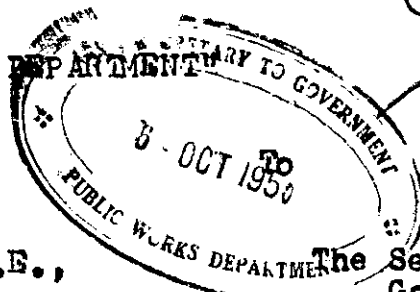
[Handwritten signature]

for Chief Engineer (Highways)

pm.12.9.

Kuv
11-9-55

18557
HIGHWAYS DEPARTMENT



From

SRI.J.M.FREDERICK, B.L.B.E.,
M.I.E(Ind) I.S.E.,
Chief Engineer, P.W.D., (General)
Additional Charge of the Post of
the Chief Engineer (Highways)
Chepauk, Madras.5.

The Secretary to
Government
Public Works Depart-
ment
Madras.9.

LETTER NO. 53527 D2/52-26 dated 3-10-55.

Sir,

Sub: Contractors - Highways Department -
S.Kanara Division - Appeal of Sri.Nattoji
Krishnayya.

Ref: Govt. Endt.No.19429-A/54-1- PW dated 12-3-54.

1 Sri.Nattoji Krishnayya was the Contractor for the work of maintaining the Mangalore Mercara road 40/0 to 48/0 for 1951-52. The collection of metal in miles 40/6 to 41/8 was measured on 24-9-51 and checkmeasured on 4-10-51 and that in miles 43/4, 43/8, 45/6, 45/8, 47/5, 47/6 and 47/7 was measured on 24-9-51 and checkmeasured on 12-10-51. The consolidation of materials in these furlongs was commenced on 24-10-51 and completed on 13-11-51. When this consolidation work was in progress, it is said that the Assistant Engineer, in charge permitted the contractor to collect further materials in miles 45/2,3 and 8 and 47/7.

2 On 2-11-51 the Assistant Engineer concerned passed over the road and found that sufficient quantities of materials were not available in the approved quarry and he suspected foul play when the contractor informed him that the extra collection required was ready for measurement on 9-11-51. The Assistant Engineer visited the spot on 10-11-51 and after a detailed examination came to the conclusion that about 11 units of metal should have been transported by the Contractor from 41st and 42nd miles to the other miles. He obtained the statements from the cleaner of the roller, maistry and supervisor in support of it and reported the matter to the Divisional Engineer (Highways) South Kanara.

3 The Divisional Engineer after examination of the report of the Assistant Engineer and inspection found sufficient ground to conclude that the contractor was guilty of the charge of having stealthily removed about 11 units of departmental materials to other furlongs of the road and offered them for measurement for a second time and so debarred him from tendering for Government works for a period of 2 years from 1-4-52. On the recommendation of the Divisional Engineer, the President District Board, South Kanara also issued orders debarring this contractor from tendering for District Board works for 2 years. The quantity of metal that was alleged to have been recarted was disallowed by Divisional Engineer (Highways) Mangalore.

4 The Contractor preferred an appeal to the Chief Engineer (Highways). After examining the case in detail it was decided to uphold the order passed by the Divisional Engineer debarring the contractor for the offence of transferring measured materials from one furlong to another and offering it again for measurement.

5 The following remarks are offered on the contractor's petition dated 3-3-54 referred to in the Government Endorsement cited.

vide para 2(a) para 1-4 ante
(a) The Assistant Engineer in charge of the work was Sri.R.L. Sreshta who suspected and reported to the Divisional Engineer about the illicit transfer of metal from one furlong to another. Such being the case it is not understood how the contractor holds that if Sri.Sreshta had been examined there would have been no allegation against him.

para 2(b) para 1-2 ante
(b) The Contractor states that the work of consolidation and collection were made simultaneously in the same mile and that there is no scope for any contractor to transport materials stealthily from one mile to another. The Contractor's reasoning is incorrect. There is scope for unauthorised removal only under such circumstances.

para 2(c) para 1-2 ante
(c) The Contractor states that if he had been found guilty of transferring the metal departmental action should have been taken against the maistry. Action could be taken against the maistry only if it is established that the maistry colluded with the Contractor in removing the materials. There was no ground to suspect this about the maistry and so no action was taken. The maistry cannot be held responsible for theft of materials in the night as alleged in the case.

para 2(d) para 1-2 ante
(d) Ordinarily collection should not be made when spreading is in progress in adjoining miles. But this does not exclude extraordinary cases where such a course has to be resorted to in order to take full advantage of the seasonal and other favourable conditions. But it is not known how the action of the Assistant Engineer in allowing collection and spreading in adjacent places will prove that the Contractor was innocent. The allegation is that he has taken unfair advantage of such an order and conveyed the already measured material to another furlong for fresh measurement.

para 2(e) para 1-2 ante
(e) The Assistant Engineer has not verified the balance of materials.

para 2(f) para 1-2 ante
(f) The Contractor's statement is that if the departmental officers who had been inspecting the road fund this, they could have seized the metal and reported the theft to the police and that the journal of the officers may be verified.

Such illicit removal is normally done during night time as is so alleged in the present case and hence it could not have been possible for the inspecting officers to detect this theft during perpetration and book the culprit.

para 2(g) para 1-2 ante
(g) The Contractor is not correct when he states that he should have been charge-sheeted under clause 60(a) of the P.S. to M.D.S.S. This clause only refers to the time factor and the rate of progress as specified in the agreement and does not cover such alleged cases of theft and so no charge-sheeting is warranted under this clause. In fact this is a case for charge-sheeting for theft under Criminal procedure code by police. p 6 of Book put up

para 2 (A) ~
p 2-3 sub
(h) The part bill of the Contractor was sent without the checkmeasurement of the work by the Assistant Engineer due to pressure of work. The deduction arising out of the alleged conveyance of metal was made in the final bill which was submitted by the Assistant Engineer after checkmeasurement. The log reports of the roller will only exhibit the fact that spreading was in progress in a particular furlong and will mention nothing about the thickness of spreading. Even if it mentions about the same it has no value.

para 2 (1) in
p 3 sub
(i) The allegation of the contractor that deduction was made for more quantity than what was alleged to have been shifted is incorrect. Deduction was made only for 1035 cft stated to have been shifted from one mile to another.

E
K
To conclude even though it cannot be said that the guilt of the contractor was proved beyond doubt, still it left a suspicion that the contractor was not above board and based on such a conclusion, the Divisional Engineer, the officer on the spot, awarded the punishment of debarring the contractor from tendering for works for 2 years. Now that the the period for which the contractor was debarred have been completed he will be permitted to tender for works.

+ 277 fctw
As the Government pleader is of the opinion that there is likelihood of the contractor getting the value of 11 units of the metal in a court of law, I am issuing instruction to the Superintending Engineer to make payments for the 1035 cft of metal and f spreading that quantity of metal.

Jeprath Rao
for Chief Engineer (Highways)

M.A.3/10
R.D 2/10

gsl

73

P.W(A2)

Memo No. 19429A/54-19 Dated 23/12/55

Sub: Contracts - Highways Dept -

South Kanara Division -

Appeal of Srs Nattaji Krishnappa

Ref: From the CE(H) letter No 53527-

D2/52-2643-10-55

p67-714

CONTROLLED BY	53
Desp	
Date	
Initials	

The C.E(H) is requested to furnish a copy of the Govt. Pleader's opinion referred to in the last paragraph of the letter cited.

p714

20/12/55

23.12.55

23.12.55

The CE(H)

D
From
Sri.K.K.Nambiar, B.E., M.I.E., (Ind)
F.Inst.H.E. (Eng) M.I.Mun.E (Eng)
M. Am. Soc. C.E.,
Chief Engineer (Highways)
Chepauk, Madras-5.

75
To

ASST. SEC. Y TO GOVERNMENT
4-11-1955
PUBLIC WORKS DEPARTMENT
The Secretary to Government,
Public Works Department,
Madras

Letter No. 53527-D2/52-28 dated 29-12-55.

Sir,

Sub:

Contracts - H.W.D. - South Kanara Division appeal of
Sri.Nattoji Krishnayya

p73 aut
Ref: Govt. Memo No.19429-A/54-19-PW dated 23-12-55

p77 bel
A copy of remarks of the Government Pleader dated
24-2-1954 is enclosed.

jap/31-12

ED 2/12

Ref: 31/12
for Chief Engineer(Highways)

Copy of remarks of the Government Pleader ⁷⁷ dated 24-2-1954.

There is no definite evidence to show that metal stacked at Miles 41 - 42 were transported to Mile 46, of Mangalore-Mercara Road. The Departmental witnesses, who gave statement at first for removal have gone back and gave a different version. In fact they deny the earlier statements. Hence if the Contractor goes to Court, it is likely he may get the value for 11 units disallowed.

Sd.A.Palaniswamy 24/2/54
Govt. Pleader

/True Copy/

[Signature]
for Chief Engineer
(Mysore)

79

P.W.(H2)

Memo. No. 19429A/54-22 Dated 17/5/54

Subj: - Contracts - Highways

Dept - South Kanara

Division - Detaining from
tendering for work - Appeal.Ref: - Petition dated 3-3-54 from
Sri Nattoji Krishnayya.

From the CE(H) letter No. 53527.

D2/52-26 dated 3-10-53

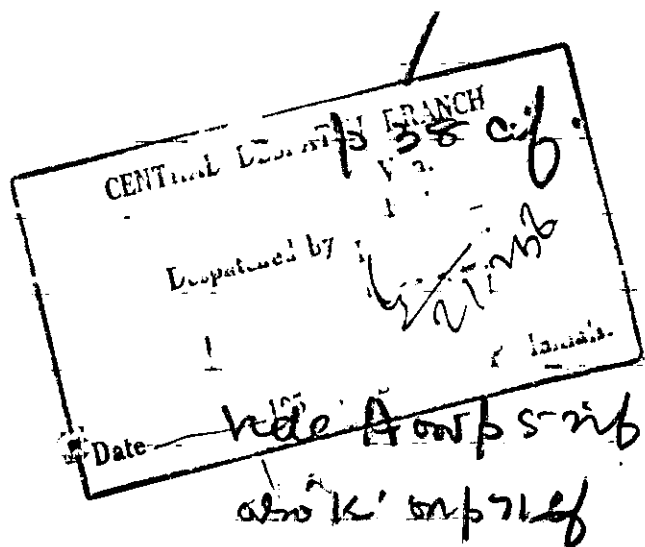
From - do - No. 53527-D2/52-28

dated 29-12-53

p/p 1-4 CF

p/p 67-71 CF

p 75 CF



In continuation of
Memo No. 19429A/54-7, P.W.,
dated 1-10-1954 Sri Nattoji
Krishnayya is informed that
he will be permitted to
tender for works as the
period of ban imposed on
his tendering for works is
over.

M. S. B.

To
Sri Nattoji Krishnayya,
Contractor, Puttur. P.O.

South Kanara District

Copy to the CE(H)

Copy to the P.D.B., South Kanara.

13/2/56
Korn
17-2-56

Reasons adduced by contractor

Remarks of Chief Engineer.

1. The S.E. held the enquiry on 28-2-55 without summoning the then A.E., Sri R.L. Shrestha. If Shrestha was examined in my presence by the S.E. there would have been no allegation against me.

The A.E. in charge of the work was Sri R.L. Shrestha, who suspected and reported about the illicit transfer of metal from one furlong to another. Such being the case it is not understood how the contractor holds that if Shrestha had been examined there would have been no allegation against him.

2. Consolidation and collection were made simultaneously in progress in the same mile. As such there is no scope for any contractor to transport the materials from the spreading to another mile.

The contractor's reasoning is incorrect. There is scope for unauthorised removal only under such circumstances.

3. If the Deptt. had found me guilty in transporting the metal, suitable action should have been taken against the departmental officer, i.e. maistry, who was in charge of the work. No action was taken by the authority.

Action could be taken against the maistry only if it is established that the maistry colluded with the contractor in removing the materials. There was no ground to suspect this about the maistry and so no action was taken. The maistry cannot be held responsible for theft of materials in the night as alleged in the case.

4. If the conveyance of metal to further miles is contrary to rules and regulations when the spreading is in full progress in other miles, the A.E. should not have hired out the Departmental lorry and he should have informed me not to cart the metal.

Ordinarily collection should not be made when spreading is in progress in adjoining miles. But this does not exclude extraordinary cases where such a course has to be resorted to in order to take full advantage of the seasonal and other favourable conditions. But it is not known how the action of the Assistant Engineer in allowing collection and was innocent. The allegation is that he has taken unfair advantage of such an order and conveyed the already measured material to another furlong for fresh measurement.

spreading in adjacent places will prove that the contractor

5. Suppose, if the A.E. had noticed the theft of metal he should have immediately verified the balance material at site in furlongs 43/4, 7 and 8.

The A.E. has not verified the balance of materials.

6. During the progress of collection and also consolidation, all the departmental officers have inspected the road now and then, and if they found that the conveyance of metal at the time of their inspection they could have seized the metal and reported the theft to Police.

Such illicit removal is normally done during night time as is so alleged in the present case and hence it could not have been possible for the inspecting officers to detect this theft during perpetration and book the culprit.

7. Before passing the final orders by the D.E. a charge sheet should have been issued under clause 60(a) of P.S. to M.D.S.S.

p6 of B.R. Hargreaves

para 5(9)
p694

The contractor is not correct when ~~when~~ he states that he should have been charge-sheeted under clause 60(a) of P.S. to M.D.S.S. This clause only refers to the time factor and the rate of progress as specified in the agreement and does not cover such alleged cases of theft and so no charge sheeting is warranted ~~with~~ under this clause. In fact, this is a case for charge-sheeting for theft under C.P.S. by police.

8. I collected metal to the extent of 19,989 c.ft. and spreading was done to the extent of 1,24,020 s.ft. and 2" thickness for which 20.670 c.ft. is required to cover up the area. This spreading was accepted by the department and payment was also made in March 1952 showing the above metal as issue. When these issues are accepted by the Deptt. there is no question of removal of metals. After payment of spreading at 2" the A.E. has now reduced the thickness of spreading from 2" to 1½" just to strengthen his allegation and ordered for recovery in the final bill. The thickness of spreading and the number of heaps issued for each log ~~can~~ can be seen from the daily log sheet of rollers and also from the statement of departmental ^{man in charge} who supervised the work.

The part bill of the contractor was sent without the check measurement of the work by the A.E. due to pressure of work. The deduction arising out of the alleged conveyance of metal was made in the final bill which was submitted by the A.E. after check-measurement. The log reports of the roller will only exhibit the fact that spreading was in progress in a particular furlong and will mention nothing about the thickness of spreading. Even if it mentions about the spreading it has no value.

9. It is not understood how the A.E. has further dis-allowed 294 c.ft. of metal when the D.E. has ordered to allow 18.25 units, which is contrary to the order passed by the D.E.

The allegation of the contractor is incorrect. Deduction was made only for 1035 c.ft. stated to have been shifted from one mile to another.

para 6 p714

The C.E. has further remarked that even though it cannot be said that the guilt of the contractor was proved beyond doubt, it still left a suspicion that the contractor was not above board, and that based on such a conclusion the D.E. awarded the punishment of debarring the contractor from tendering for works

62001-4-52

for 2 years. He has stated that now that the period for which the contractor was debarred is completed he will be permitted to tender for works.

The C.E., in accordance with the opinion of the Govt. Pleader, is also instructing the S.E. to make payment for the 1035 c.ft. of metal and for the spreading

that quantity of metal, which was disallowed previously.

(The C.E. has not however furnished a copy of Govt. Pleader's opinion)

4. In the circumstances stated at 'A' and 'B' above no further action in the matter seems necessary. It does not also seem necessary to send a reply to the party. The papers may be recorded after perusal by Law, H.E.L.A. and Finance.

19.11.55
K.M.
19.11.55

Para 6 on p 71 C.F. shows that the C.E.(H.) is convinced that the guilt of the contractor was not proved beyond doubt. In such cases the benefit of the doubt is usually given to the accused. The contractor would naturally be anxious now to get the stain removed and not any thing else, as the period of ban is over. It is for consideration whether the C.E.(H.) should be informed of A above.

21.11.55

A above will serve no purpose as the period of ban is already over.

✓ K m p 71 cf

A

✓ p m 7 b 71 cf

B

A

As the contractor has been sending a number of petitions, a reply has to be sent to him on his 'appeal'. He may be informed that the period of ban being over, he will be permitted to tender for works.

A

Ur

21.11.55

Law/HELA/Fin

Law Department

P. W. D. may please obtain and put up a copy of the Government Pleader's opinion referred to in parag. 7 on p. 71 c.f. and the M. D. S. S.

P.W. D. No.

19429A/54-18

22-11-55



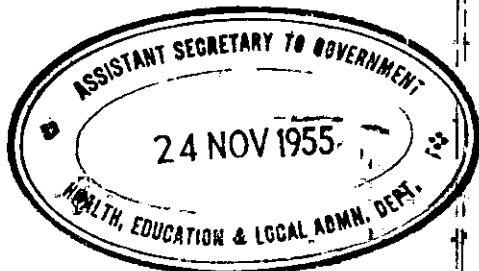
23/11/55

23.11.55

HELA.

Law no 16083/55-1
23/11/55

HELA (Ls)



The notes ~~for you~~ on pp 1-5 ante may be perused and the file passed on to Fin.

30.11.55

2.12.55

116908

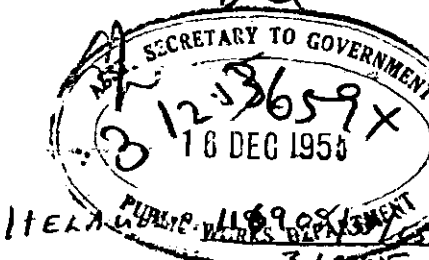
TS 1155
24

29.11.55

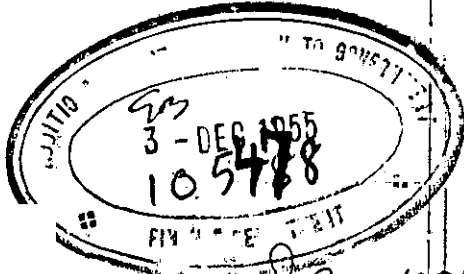
30.11.55

Finance (EB)

The notes on pp 1-5 above may be perused.



HELA-116908/55-1
3.12.55



15/12/55

P.W. (Ar)

With reference to the note of Law the CE(H) may be asked to furnish a copy of the Govt. Pleader's opinion. A draft

Julio 105478-EB
16.12.55

b
ix

memo is submitted.

23/12/55
Kun
28/12/55

27.12.55

(Issued as Memo No. 19429A/54-19 dated 23-12-55) p734

From the CE(H) letter No. 53527-Da/52-28 dated 29-12-55 p75c1

The C.E(H) has furnished a copy of the remarks of the Govt. Pleader dated 24/2/54 referred to in para 7 of his letter mp 73 of —
A copy of the P.D.S.S is also put up
Vide p 77 of L. The file may now be sent to Law.

removed in PWD

4.1.56
Kun
11/56

9.1.56 Law.

Law

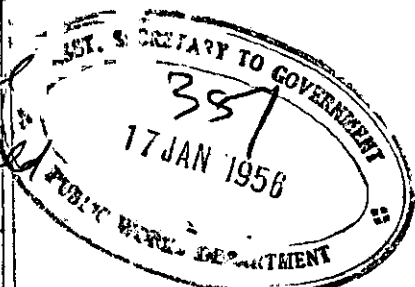
The course suggested by PWD at "A" on page 5 ante which accords with the recommendation of the Chief Engineer at "K" on page 71 CF may be adopted. The Chief Engineer has reported in para 7 on page 71 CF that he has already issued instructions to the Inspecting Engineer to pay the Petitioner the value of 635 CF of metal and the cost of spreading it. This should satisfy the Petitioner that justice has been done to him.

K. L. K.
16/1/56

PWD

P.W.D. Memo.
19429A/54-20
9.1.56.

(with M955)



Law no 496/56-1
17/1/56

A

LS

u B

P.W. (A2)

Law have agreed to 'A' on p5 ante.

H.E.L.A. and Finance may, perhaps, see the note of Law on p6 ante.

19.1.56. HE L A / Fin

17.1.56

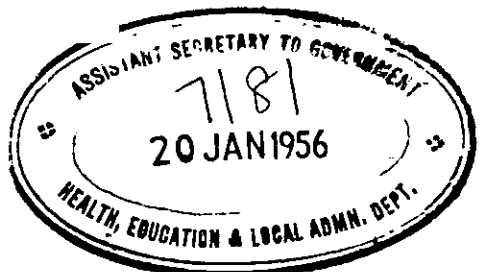
Kon 17.1.56

P.W. Urra 19429A/54-21

19-1-56

HELA (L5)

This Dept. last noted on p5 ante. Further notes on pp 6 & 7 ante may be perused and the file passed on to Fin.



ES 20.1.56

A 5.1.56

21.1.56

Ms 23.1.56

23.1.56

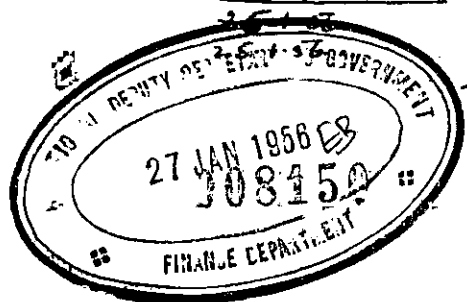
CFB 25.1.56

Finance EB

(Previous Finance Note on p5 above. The further notes on pp 5-7

above may be perused.

HELA No 7181/56/L5-1 LA



31.1.56

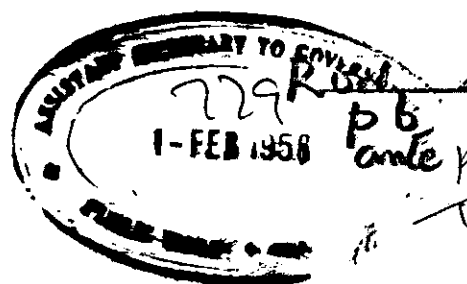
11.1.56

P.W. (A2)

P.W. 10.8150 EB/56-1

1.2.56

With reference to 'A' on p5 ante a draft memo to the petitioner is submitted for approval. (Law Dept. have also stated



that the course suggested at A on p5 ante may be adopted)

17.2.56

Issued as Memo No 19429A/54-22 of 17-2-56